

IN THE UNITED STATE DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

STATE OF NEW MEXICO, *ex rel.*

State Engineer

Plaintiff,

v.

ROMAN ARAGON, *et al.*,

Defendants.

69cv07941-KWR/KK

RIO CHAMA STREAM SYSTEM

Section 3: Rio Cebolla

Subfile No.: CHCB-003-0002

**MOTION TO CORRECT ERROR IN DEFAULT JUDGMENT FOR SUBFILE NO.**  
**CHCB-003-0002**

Pursuant to Rule 60(a) of the Federal Rules of Civil Procedure and the Court's *Order on Procedures for Correcting and Amending Subfile Orders*, (Doc. 2000, filed 02/23/1995,) Plaintiff State of New Mexico, *ex rel.*, State Engineer ("State"), respectfully moves the Court to enter its Order Correcting Default Judgment for Subfile No. CHCB-003-0002 (Exhibit 1 attached). In support of this motion, Plaintiff states the following.

1. At the request of the State, the Court entered its *Order Granting Default Judgment* for Subfile No. CHCB-003-0002 on December 16, 2002. (Doc. 6992.)
2. The default judgment for this subfile incorrectly adjudicated no water right for 5.1 acres under Header C and 1.4 acres of irrigation water right under Header D.
3. The 5.1-acre tract (Header C) should have been adjudicated an irrigation water right, and the 1.4-acre tract (Header D) should have been adjudicated no water right.

4. This error incorrectly and significantly reduced the Defendants' water right and should be corrected to match the historical beneficial use of water on the associated acres.

5. The State attempted to contact the Defendants to determine if they oppose this motion but was unsuccessful.

WHEREFORE, the State asks the Court to correct the *Order Granting Default Judgment* for Subfile No. CHCB-003-0002 (Doc. 6992, filed 12/16/2002) in accordance with this Motion and the attached Proposed Order Correcting Default Judgment for Subfile No. CHCB-003-0002 (Exhibit 1).

The State further requests that, pursuant to this Courts *Order* under Docket No. 10891 (filed 02/04/2014), the Clerk of Court mail a copy of the Order to the Defendants at the following address.

Juan Archuleta  
Pablo Archuleta Jr.  
P.O. Box 161  
Cebolla, NM 87518

Respectfully submitted,

/s/ Patricia Estrella

---

PATRICIA ESTRELLA  
Special Assistant Attorney General  
Office of the State Engineer  
P.O. Box 25102  
Santa Fe, NM 87504-5102  
(505) 819-1044

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 7, 2023, I filed the foregoing electronically through the CM/ECF system, which caused the parties on the electronic service list, as more fully set forth in the Notice of Electronic Filing, to be served by electronic mail. Additionally, I have mailed a copy of this Motion to Juan Archuleta and Pablo Archuleta Jr. at the following address:

Juan Archuleta  
Pablo Archuleta Jr.  
P.O. Box. 161  
Cebolla, NM 87518

/s/ Patricia Estrella

Patricia Estrella